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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,114	10/12/2000	Rick Allen Hamilton II	AUS9-2000-0440-US1	1001

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EXAMINER

NGUYEN, HAI V

ART UNIT

PAPER NUMBER

2142

DATE MAILED: 05/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/687,114

Applicant(s)

HAMILTON ET AL.

Examiner

Hai V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

1. This Office Action is in response to the communication received on 16 March 2004.
2. Claims 1-31 are presented for examination.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by **Black** US patent no. **6,708,265 B1**.
5. As to claim 1, Black, Method And Apparatus For Moving Accesses To Logical Entities From One Storage Element To Another Storage Element In A Computer Storage System, teaches substantially the invention as claimed, including a method for configuring a storage area network, the method comprising the steps of:  
collecting operating system data for a server (*a host computer*), wherein the server is connected to a storage area network (*Black, Abstract, Fig. 9, item 90a-e; col. 10, lines 3-65; col.17, lines 9-29*);

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comparing operating system data for the server to operating system data of the storage area network (*Black, Abstract, Fig. 14, items 140, 141, 125a; col. 18, lines 40-55; col. 20, lines 11-26; col. 24, lines 4-63; col. 26, line 53 – col. 27, line 39*); and

configuring an operating system of the server based on the comparison, wherein the server operating system is automatically configured to allow the server to access the storage area network (*Black, Abstract, Fig. 14, items 140, 141, 125a; col. 11, line 3 – col. 12, line 21; col. 20, lines 11-26; col. 24, lines 4-63; col. 26, line 53 – col. 27, line 39*).

6. As to claim 2, Black teaches, further comprising: receiving a server configuration file identifier, wherein the server configuration file identifier corresponds to a server configuration file (*Black, ELVID, col. 31, lines 30-65*).

7. As to claim 3, Black teaches, wherein the server configuration file comprises at least one record, wherein the record comprises at least one of an Internet protocol address and an operating system file (*Black, col. 21, lines 17-48*).

8. As to claim 4, Black teaches, wherein receiving the server configuration file identifier is at least one of reading the server configuration file identifier from the server configuration file and prompting for the server configuration file identifier (*Black, col. 11, lines 15-42; col. 23, lines 1-18; col. 24, lines 11-21*).

9. As to claim 5, Black teaches, wherein allowing the server to access the storage area network comprises allowing the server to access at least one of a disk storage device and a tape storage device within the storage area network (*Black, Fig. 14, items 140, 141, 125a; col. 20, line 50 – col. 21, line 39*).

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10. As to claim 6, Black teaches, wherein comparing operating system data for the server to operating system data of the storage area network is at least one of a Solaris<sup>TM</sup> operating system, an AIX<sup>TM</sup> operating system, and a Windows NT<sup>TM</sup> operating system (*Black, col. 6, lines 47-61; col. 16, lines 46-56*).

11. As to claim 7, Black teaches, appending an information message to a server configuration file, wherein the information message contains details of the server operating system configuration (*Black, col. 20, lines 9-26*).

12. As to claim 8, Black teaches, conveying an error message, wherein the error message indicates that the connected server operating system is not supported by the storage area network (*Black, Figs. 15A-B, 17-18; col. 30, lines 20-58*).

13. As to claim 9, Black teaches, wherein conveying the error message is by at least one of printing the error message and visually displaying the error message (*Black, Figs. 15A-B, 17-18; col. 30, lines 20-58*).

14. As to claim 10, Black teaches, configuring an operating system of a client, wherein the client is connected to the server to allow the client to access the storage area network (*Black, Figs. 15A-B, 17-18; col. 10, lines 39-57; col. 30, lines 20-58*).

15. Claim 11 is corresponding system claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

16. Claims 12-20 are similar limitations of claims 2-10; therefore, they are rejected under the same rationale as set forth in claims 2-10.

17. Claim 21 is corresponding computer program product of claim 1; therefore it is rejected under the same rational set forth as in claim 1.

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18. Claims 22-30 are similar limitations of claims 2-10; therefore, they are rejected under the same rationale as set forth in claims 2-10.

19. Claim 31 is similar limitation of claim 6; therefore, it is rejected under the same rationale as set forth in claim 6.

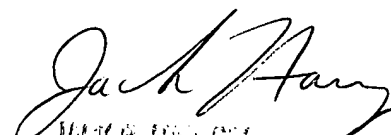
20. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 703-306-0276. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hai V. Nguyen  
Examiner  
Art Unit 2142



JACK B. HARVEY  
SUPERVISORY PATENT EXAMINER